

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	CRIMINAL NO. 1:12 CR35
)	
v.)	Count 1: 18 U.S.C. § 371
)	Conspiracy
JESSE CURTIS MORTON,)	
)	Count 2: 18 U.S.C. §§ 875(c)
Also Known As:)	Communicating Threats
Younus Abdullah Muhammad)	
)	Count 3: 18 U.S.C. §§ 2261A(2)(B) and 2
Defendant.)	Using the Internet to Place Another
)	in Fear of Death or Serious Injury
)	

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1

CONSPIRACY

(18 U.S.C. § 371)

Between on or about December 5, 2007, and on or about May 23, 2011, in the County of Fairfax in the Eastern District of Virginia and elsewhere, defendant JESSE CURTIS MORTON, also known as Younus Abdullah Muhammad, did unlawfully, knowingly, and willfully conspire with Zachary Adam Chesser and others known and unknown to the Grand Jury to:

A. solicit, induce, and endeavor to persuade others to engage in conduct constituting a felony that has as an element the use, attempted use or threatened use of physical force against the person of another in violation of the laws of the United States, with the intent that another person engage in such conduct, in violation of 18 U.S.C. §§ 373 and 2261A(1);

B. distribute information pertaining to, in whole and in part, the manufacture and use of explosives, destructive devices, and weapons of mass destruction, with the intent that the teaching, demonstration, and information be used for and in furtherance of an activity that constitutes a Federal crime of violence, in violation of Title 18, United States Code, Sections 842(p) and 2261A(1);

C. transmit in interstate commerce communications containing threats to injure the person of another, in violation of 18 U.S.C. § 875(c); and

D. engage in a course of conduct to use the internet to place people in another state in reasonable fear of death and serious bodily injury, in violation of 18 U.S.C. § 2261A(2)(B).

In furtherance of the conspiracy and to effect its objects, members of the conspiracy engaged in overt acts in the Eastern District of Virginia and elsewhere, including, but not limited to, the following:

1. On or about April 19, 2010, MORTON authorized conspirator Zachary Chesser to post a video titled the "Defense of the Prophet Campaign" to the YouTube account of the Revolution Muslim organization; and

2. On or about July 11, 2010, MORTON posted on the website of the Revolution Muslim organization the English language magazine titled "*Inspire*." The magazine contained an article titled "Make a Bomb in the Kitchen of Your Mom," a hit list calling for the execution of an individual identified here as "MN", and a statement purporting to be from Anwar Al-Awlaki calling for the execution of those who Al-Awlaki asserted defame Islam's Prophet Muhammad - and MN, in particular.

(All in violation of Title 18, United States Code, Section 371.)

COUNT 2

COMMUNICATING THREATS

(18 U.S.C. §§ 875(c) and 2)

1. Between on or about April 19, 2010, and the present date, in Fairfax County in the Eastern District of Virginia, and elsewhere, the defendant, JESSE CURTIS MORTON, also known as Younus Abdullah Muhammad, did knowingly and unlawfully transmit in interstate and foreign commerce communications containing threats to injure the person of another, to wit, individuals identified here as “MS” and “TP,” in connection with the broadcast of an episode of the *South Park* television show, and aid, abet, and counsel the transmission of such threats in interstate and foreign commerce by Zachary Adam Chesser.

2. The postings on the internet by MORTON and Chesser constituted statements that a reasonable recipient, familiar with the context of the communication, would interpret as meaning to communicate a serious expression of an intent to commit an act of unlawful violence to particular individuals, namely MS and TP.

3. The postings on the internet by MORTON and Chesser were made following a recent history of attacks and attempted attacks against individuals alleged to have defamed or insulted Islam or its Prophet Muhammad.

4. The postings on the internet by MORTON and Chesser, to the website of Revolution Muslim and other websites, objectively constituted messages to an audience that likely included individuals who could be motivated to engage in violent jihad against those whom they believed to be enemies of Islam and who would understand the messages as calls to attack MS and TP.

(All in violation of Title 18, United States Code, Sections 875(c) and 2.)

COUNT 3

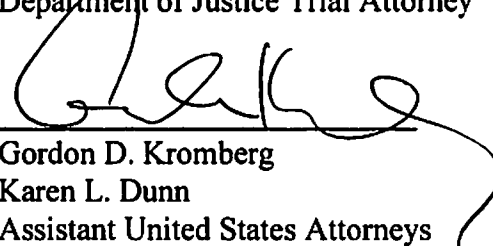
USING THE INTERNET TO PLACE ANOTHER
IN FEAR OF DEATH OR SERIOUS BODILY INJURY

Between on or about April 19, 2010, and the present date, within Fairfax County in the Eastern District of Virginia and elsewhere, defendant JESSE CURTIS MORTON, also known as Younus Abdullah Muhammad, did unlawfully, knowingly, and with the intent to place persons identified herein as "MS" and "TP" in another state, namely California, in reasonable fear of death or serious bodily injury, use an interactive computer service and facility of interstate and foreign commerce, namely, the internet, to engage in a course of conduct that placed such persons in reasonable fear of death and serious bodily injury, in violation of Title 18, United States Code, Sections 2261A(2)(B) and 2.

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